

JUL 29 2021

AT BALTIMORE  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

DEPUTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLANDTerry R. Chapman

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Nissan Corporation

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## Complaint for a Civil Case

Case No. JMC-21-1903  
(to be filled in by the Clerk's Office)Jury Trial: ☒ Yes ☐ No  
(check one)

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Terry Chapman</u>
Street Address	<u>714 W. Cherry Blossom Way</u>
City and County	<u>BALTIMORE,</u>
State and Zip Code	<u>MD. 21202</u>
Telephone Number	<u>443-802-1060</u>
E-mail Address	<u>T.Chapman@Juno.Com</u>

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	<u>Nissan Corporation</u>
Job or Title (if known)	<u>MS. DAKOTA McGregor</u>
Street Address	<u>ONE Nissan Way</u>
City and County	<u>Franklin,</u>
State and Zip Code	<u>TN. 37067</u>
Telephone Number	<u>1615-725-7590</u>
E-mail Address (if known)	<u>DAKOTA.Mcgregor@Nissan-USA.Com</u> <u>Fax 1615-984-5277</u>

Defendant No. 2

Name \_\_\_\_\_  
Job or Title \_\_\_\_\_  
(if known) \_\_\_\_\_  
Street Address \_\_\_\_\_  
City and County \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address \_\_\_\_\_  
(if known) \_\_\_\_\_

Defendant No. 3

Name \_\_\_\_\_  
Job or Title \_\_\_\_\_  
(if known) \_\_\_\_\_  
Street Address \_\_\_\_\_  
City and County \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address \_\_\_\_\_  
(if known) \_\_\_\_\_

Defendant No. 4

Name \_\_\_\_\_  
Job or Title \_\_\_\_\_  
(if known) \_\_\_\_\_  
Street Address \_\_\_\_\_  
City and County \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address \_\_\_\_\_  
(if known) \_\_\_\_\_

*(If there are more than four defendants, attach an additional page providing the same information for each additional defendant.)*

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

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**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) Terry R. Chapman is a citizen of  
the State of (name) Maryland.

**b. If the plaintiff is a corporation**

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_,  
and has its principal place of business in the State of (name)  
\_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*



2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) NISSAN MOTOR CO., is incorporated under the laws of the State of (name) SMYRNA, TN., and has its principal place of business in the State of (name) Tennessee. Or is incorporated under the laws of (foreign nation) JAPAN, and has its principal place of business in (name) Nishi-Ku, YOKOHAMA.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

PLAINTIFF SEEK MAXIMUM ALLOWED BY LAW;  
THIS IS DUE TO THE AIR BAGS DIDN'T DE  
PLOY; MORE THAN ONCE IN MODERATE TO  
SEVERE CONDITIONS, THE AB DID NOT IN  
FLATE IN TO THE INTERIOR OF THE CAR.

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

*The Plaintiff is entitled to damages and Relief sought, due to the injuries and Conditions He faced when the air Bags did NOT Deploy inside of The Car's Cabin; as the ABs were design To Do; For Inflating under moderate or severe Crashes.*

- The Defendant's Involvement was its Manufactured Parts of A Vehicle, VIN, JN1AS44d3SW009345: IN Which The Plaintiff Purchased: IN Which The Air BAGS of That Vehicle did NOT Deploy; and Cause additional Harm To Driver of That Vehicle: When The ABs did NOT DO What They were Design To Do.*
- The VIN -- Panel Inspection show activation in July of 1998, But The ABs did NOT inflat into The Cab.*
- The VIN -- Was updated on or about Jan. 2014 as SRS System Communication Date (AB). MAY 5, 1997, Chapman vs. Bob Bell Nissan, AB light and Gas Tank issues to Name a few of the Complaints: Dist. Court of Maryland for BAIT, County, MD. 21286-5307.*
- an accident 3-18-02, In which The AB did NOT Deploy into The Cabin. The AB did NOT inflat at all: Point of Impact 12. Front.*
- 7-24-20: Again The AB did NOT Deploy or*



III.

INFLAT into The Cab, to Prevent additional Harm onto The Plaintiff. Medical History attached. Hitting of The Front and side impact onto The Plaintiff's Body inside The Vehicle is Consistent To what The AB was Design To Protect, But By The ABs NOT Deploying or INFLATING The ABs were NO Protection To The Plaintiff: In These situations of Need.

- The Plaintiff left side of His Body, Head, Neck, shoulder and Back, with Cervical Notes attached: Chest Hitting of The Steering Wheel is Consistent with what was Quoted as Quality assurance of Product safety, for side and Frontal AB Protection that did NOT happen in These Crashes: Each time The ABs did NOT Deploy.

## IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages. For any request for injunctive relief, explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

The Plaintiff is seeking damages in the maximum monetary amount according to Law. The Hurt suffered by NO Protection by the Air Bags; have left Plaintiff worse off, mentally and Physically. Plaintiff believe Punitive or exemplary damages for Reasons He claim are entitlements To and for when He Thought He was dead or dreaming rightly as He Manage To Coop doing this Pandemic; from His last Crash and prior crashes and A B issues.

- Plaintiff is expressing Relief for Help: That He is STILL in need of for the Future.
- Plaintiff IS in need of Relief Now, as Relief is slow doing the Covid Pandemic, as Pre-existing Cases and issues are being set aside. Plaintiff is NOT able To Measure Monetary amount needed: But know if He is awarded The Maximum by Law at this Time, IT will sure-ly aid in His Recovery for Well ness. The Plaintiff believe The Economy doing this Pandemic has Higher Cost and what appears To Be Price GAL-ging in an uncertain Time.



**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 7-29-, 2021.

Signature of Plaintiff

Printed Name of Plaintiff

Terry Chapman  
Terry R. Chapman

*(If more than one plaintiff is named in the complaint, attach an additional certification and signature page for each additional plaintiff.)*

**B. For Attorneys**

Date of signing: \_\_\_\_\_, 20\_\_.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

Email Address

\_\_\_\_\_  
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**In The United States District Court for The District of Maryland**

Terry Rene Chapman,	*	
Plaintiff,	*	
v.	*	Civil Action No.
Nissan Corporation,	*	
Defendants.	*	
	*	*
	*	*

Dear Chief Judge,

I, Terry Chapman, The Plaintiff motion the Court to take Jurisdiction over a matter of Hurt and Harm to me; due to my vehicle's Air Bags did not open in a moderate to severe accident as the ABs are required to do under Federal Safety Guidelines. Code of Federal Regulations Citations...with this rule, EPA is facilitating a more expedited removal of defective Air Bag Inflators from vehicles...

- \* NPR, has Class A Misdemeanor(s) accordance with Federal Safety Regulations...
- \* For elements of what the AB was manufactured to do (FRCP). It is not a mistake in several incidents the AB did not deploy under normal or moderate or severe crashes within Plaintiff's vehicle, here now known as, 95 Nissan 240sx VIN Jn1as44d3sw009345.
- \* Will the Air Bag Recall end...April 13, 2016: Regulators stated that there are 85 million potentially defective...the National Traffic and Motor Vehicle Safety Act of 1966 Directed the Secretary under (P.L.89.563) to address standards: Including Air Bags; death & injuries (80stat. 718).

\* In Brief :

In July, 2020, the Plaintiff found it very Life Threatening for the lack of help medically & financially since a Hit & Run Driver put the Plaintiff's Car in a tailspin & ran him into an adjacent wall on I95s at pole 50 in Baltimore, Md. Police Report # 20cs00122156. The Plaintiff started to get some relief as the pandemic open to clinic & hospitals to where Plaintiff was able



to get Occupational Therapy in April of 2021. The Plaintiff then called Nissan Corp & case # 43602719 & 44012117 was created to document his concerns for the hurt & harm due to the Air Bags not Deploying in that situation. Than Mrs. Dakota McGregor, Spec. Dispute Resolution-Network Development, Nissan Motor Co. Ltd., stated in several emails, the issue of the air bags not deploying into the cabin; in short, as the Representative of Nissan, we are not able to help you. Then, attempts were made to contact the CEO of Nissan; but Plaintiff received several Ser. Rep. Specialist that lead back to Parts & Services for air bags & VIN statements in 1998 & 2014 about air bag issues; & NHTSA statements of Takata & Safety Regulations. Another attempt was made to contact the CEO of Nissan & Mr. Makoto was found as Director; & Kevin Cullum, President, dated 7-13-20; Nissan Motor Acceptance Corp; address given was, Nissan Consumer Affairs, PO. Box 685003, Franklin, Tn. 37068- 5003; 800-Nissan-1 or 800-647-7261: the web site also, came upon the HQ as 615-725-1000, the same as the Representatives of Mrs. McGregor, of the Ser. Rep. Spec. Then, I emailed Nissanownerservices@Nissan-USA.Com and www.complaintsdepartment.com resulted in, a customer care contact form.

- \* Inquiry into the making of the 240sx air bag protection system: Calls & emails to Nissan to address the issue of air bag malfunction in an accident. This yield a request to the Defendant to check the VIN for car history.
- \* The Defendant stated they made their decision in April. It stands as final.
- \* After several attempts to get Defendant to reply to the Initial request to check the VIN for history, Plaintiff is filing this Suit to this Court to take Jurisdiction in this Matter of the air bags under P.L.89-563 or any rules of the Vehicle Safety Regulations for normal or moderate to severe crashes when the AB donot inflat or deploy into the vehicles interior; but not limited to 80stat.718 to reduce Hazard: NHTSA-US.Dept. of Transportation, SRS.
- \* The Restraint System -- AB & Related Electronic Control; Systems which are covered by the Powertrain Warranty; & under Nissan's Statement for Nissan Quality - Sales, Service & Parts.
- \* When the ignition key is in the "on" or "start" position, the illuminated lights are on for about 5 to 7 seconds, meaning the systems are operational ... but the AB still didn't Deploy: A Defect, Manufacturing Defect - Diagnosis of senor unit ... within the VIN's history.
- \* In these situations the AB light was on but the system still didn't deploy in several accidents.
- \* In 1997, complaint of AB light would not go out & other similarities to the current air bags under recall - not deploying or inflating in the Interior of the vehicle.
- \* Medical records show Plaintiff's conditions of his injuries reflective of the non deploying of

the air bags. Heart issues when chest hit steering wheel each time AB did not do its job: if under inflating the AB may not Deploy...(NADI Inflator) NHTSA.Gov/alerts -- also see Annex A, (agent Renee of the hotline took the call). Under look-up tool -- recall associated with this VIN: Manufacturers are required to notify owners by mail: Live Chat 6-23-21, it was stated, there are zero unrepaired recalls associated with the VIN, but the AB still didnot Deploy: Agent Question - are you experiencing any failures or a defect; Plaintiff Answered yes ... Hotline # 1 888-327-4236 or file at <[www.odi.nhtsa.dot.gov/vehicle complaint/](http://www.odi.nhtsa.dot.gov/vehicle%20complaint/)> nothing else followed, 9:43am.: est. to track down product warranty: for help with product liability law; a design flaw(s): fail to meet requirements or serve customer needs: as in the results of what it didnot do, or a unstable product, service & or environment, as to the workmanship or repairs.

\* In evaluating the situation: The VIN stated there were no unfixable issues, but on several occasions the AB light would stay on and on other occasions the AB didnot Deploy: Leaving Plaintiff worse off & with ongoing chronic issues of heath; due to the workmanship for not deploying. Medical records indicate changes to the body that is still a part of the Plaintiff's Records.

\* The Plaintiff is seeking Damages for Product Failure.

\* Personal Injuries or an open case for future evaluations for stability in this New Normal; in a Pandemic State for Healthcare...

\* It is in the scope of a contract or purchase agreement that the AB would work properly: & that the defendant does have some liability in the faulty workmanship of the product: A design or manufacturing defect(s); & to let owners of older vehicles know of the defects or punitive to what is being sort in damages. I have been hurt due to the ABs not deploying or inflating into the cabin.

\* Ongoing medical records since these occasions reflect personal injuries for what is noted in the attached records. Mental lapses & nightmares for lack of sleep due to recurring dreams & sleepless nights ... In this pandemic not much help, clinic & hospitals are just starting to reopen; left Plaintiff depress & without financial & medical help...as Covid is starting to spike again in july 2021.

\* Pain & Suffering - Anguish for injuries unattended to the left side of the Plaintiff's body; the arms, neck, shoulder, head & back: The whip lash, the physical & mental shock & shakes; to describe how Plaintiff feels when remembering the crash & hurt for what is now a way of life that didnot exist prior; current aches & pains & soreness. These issues & expenses Plaintiff is occurring are additions, due to the result of the ABs not working. Plaintiff seek monetary damages for the maximum by law for the related violations.



To Conclude:

After requesting from the Nissan HQ in Tennessee, a supervisory team to review prior information & to get the type of AB manufactured for this vehicle; & to help prevent another from possibly getting hurt in what maybe a product liability issue; as stated after the Plaintiff tracked down the vehicle, the vehicle was brought at auction. Plaintiff stated it maybe resold for possible new life in dangerment; to find out if the current AB problem of NHTSA.Gov/alerts, since 2016 or 2019, for Takata AB recalls is similar to this case.

\* Plaintiff was requesting ways to settle out of court, even having Defendant to buy the vehicle to check out these issues under their case # 43602719 & 44012117.

\* I'm currently still without transportation to attend my medical appointments as health care is starting to open back-up for pandemic relief...

\* Other than what was reported on the VIN; the Defendant investigation is without the vehicle; & questions around the unstableness of the AB. Under Safety Features -- VIN Report stated, both Frontal & Side Impact; air bags are design to deploy in "Moderate to Severe Crashes in this vehicle." Air Bags reduce the chance that an occupant's upper body or head will strike the Vehicle's Interior during a crash. Features: Driver, Front Passenger ABs. No car fax available - vehicle history; made in Japan or the U.S. HQ would not reveal AB type. Crash Test Rating - 7items. NHTSA, US.DOT: SRS -- Information regarding Instruments, Manufacturer Communications:

\* Panel inspection after passenger air bag activation \*tt, 7-14-98 - Components 141000 air bags - communication - NTB98061,NHTSA - ID: 601717 - AB did not inflat into the cab.

\* Components 141100 air bags, 1-26-14 - Date communicated SRS System\*PE undated 2-21-14\*PE - NHTSA - ID: 10025522 - communication ID: NTB-08-055-A

\* Summary of Law for personal Injuries due to product liability for damages or punitive in nature: A Design Flaw(s); fail to meet requirements or serve customer needs: as in the case 43602719 & 44012117, Nissan Corp review, Franklin, TN.

\* Results of what it didn't do or; an unstable product, service & or environment problem with, as to the workmanship or repairs: AB problem & liability for: Imperfection of not inflating to release into the cabin.

\* Yokohama, Kanagawa, Japan.

\* Nissan USA Headquarters Corporate Office, www.nissanusa.com - 983 Nissan drive, Smyrna,

TN. 37167, 1800 647 7261.

\* Nissan North America, Nissan Way, Franklin, TN. 37067, Attn: CEO of Nissan -- I'm trying to request the type of AB manufactured for the 95 Nissan 240sx VIN Jn1as44d3sw009345 -- are you able to help? 615 200 1899, 615 725 1000. In short i talked with two Ser. Rep. Specialist, & was transferred to 866 504 7086, security Blvd. Nissan in Baltimore, Md., from customers affairs 615 725 1000 to Antwerpen 410 298 4400 -- which Plaintiff received Parts numbers from Mr. James, Sec. Blvd.; the inflator passenger side # k851e81f00: Driver side # k851m75f10 module & air bag sensor: stated AB normally deploy in accidents, and that the parts numbers are all that comes up in system.

\* The web page site showed AB workable parts , but not limited to the ones Plaintiff was able to locate: clock spring, AB switch, AB anti-theft bolts, wire assy., brackets, computer module sensor, harness, interior srs, air suspension kit, oe replacement, sys hanger.

\* Collision Law authorize inspection, after an accident for liability hazards: Mandatory Safety Components.

\* No return msg from an advisory committee, studying & or evaluating, other than Mrs. McGregor's call to Plaintiff on 7-2-21; stating that she is the highest officer or authority in this matter & is returning Plaintiff's email from 6-29-21, that this matter is closed as of April, 2021; & there is nothing she can do for Plaintiff: & that they don't police these issues in conversation about retrieving vehicles to prevent possible another occurrence of the AB issue.

\* As the highest office of Nissan Computer Control & Auditing the functions of its Controls & Internal control or methods, could you not find out about any manufactured parts for any vehicle Nissan made: In taking a closer look at the issue: how many ABs did not open-up in moderate or severe crashes; for Implied Warranty that the AB should do what the manual said it is design to do. Is it criminal if Nissan know about these issues?

\* The Plaintiff stated the VIN facts indicate vehicle equip with frontal & side impact safety protection for near-frontal crashes. See La.Rev.Stat.Ann.sub sec 9:2800.53(6): Express Warranty (LPLA) is design to inflat in moderate to severe crashes. Affirms that the AB System will meet a Specified level of Performance the Plaintiff asked about prior to purchases as the reason Plaintiff purchased cause it had these features as the VIN stated: 9:2800.58 the breech represent the problem of not deploying, which makes it faulty under said conditions by the Label - Nissan Quality & Parts. You can only buy Nissan Parts for that VIN from Nissan as Plaintiff was told each time he took the vehicle in for service. The Restraint and Powertrain, SRS - AB are all Original Nissan Parts.

\* Plaintiff is Entitled to relief sufficient to factual matter, accepted as true & plausible on its



face that the ABs didnot deploy into the cabin. Is it reasonable to say what the results would had been if the ABs did its job verses not deploying.

\* The goal of the firm/general business perspective is customer satisfaction: but the facts remains, that the Plaintiff was Hurt each time the ABs didnot Deploy; even if there is away to explain malfunctions: The Plaintiff was still Harmed. Injuries from the accident were enhanced. Prima Facie; the ABs didnot deploy. As to the impact required to deploy the AB, Safety Standards stated Moderate to Severe. Mechanics and sales personnel have been stating under normal conditions since the 5miles an hour bumpers were made, under Traffic safety Rule since the 80s AB would Deploy @ 25 to 35 miles an hour & @ higher speed in more severe crashes. Is it reasonable to say moderate to severe activated the ABs that didnot. Deploy or Inflat on these occations (ISO).

\* A High End issue "Red Flag" Authorities, as if the Company may or may have known the Air Bags Faults for years; and avoid(ed) Pitfalls. The Foreign Corrupt Practice Act ties those who are in violation of the accountability of the Matter...if Domestic concerns to obey FCPA, acting outside the country: & or ("RICO") The particulars in what is immoral, fraudulent or criminal behavior.

\* Nissan has obligations to the NHTSA for Hwy & Vehicle Safety, workable parts gone bad or malfunction; & to the injured when fixable parts didnot do its job. Impact Points of 5 or Higher was detailed in this case since 1995, date of Purchase. Since 1966 The Safety Standards Board did more than Imply their assurance to the Public: as Nissan did more than Imply its Quality for its Sales & Parts. Now, Personal Injury & Product Liability for damages or punitive in nature & monetary to losses, is Plausible to the degree & hurt in the scope of these issues surrounding Air Bags and Safety requirements to the injured; & of Safety Standards.

\* The Particulars were spelled out in the design to deploy & inflat in moderate to severe crashes. NHTSA - US. Dept. of Transportation, SRS, Service Restraint System, or Supplemental Restraint(s). The Product & Warranty (ABs) -- Either Expressed, Implied or as Labeled: Nissan Quality & Parts Implicit or Explicit will meet or exceed Safety Standards (ISO).

\* Plaintiff claim court cost and maximum pay out for this type of claim or for each occurrences for Pain & suffering, Personal Injury, & Punitive Damages for each time the issues arose around the AB lights, Gas Tunks & Air Bags not doing there job.

\* Jury Request -- The issues is : The Air Bags did not do what they were Design to do.

In Earnest,

*Terry Chapman*  
(410) 837-7417

Terry R. Chapman, Pro Se.

714 W.Cherry Blossom Way, Balt., Md. 21201

7-29-21.